



STAFF REPORT

HEARING DATE: January 9, 2019

REPORT DATE: January 2, 2019

TO: Planning Commission

FROM: Sierra Davis, Associate Planner

PROPOSAL: **Little Flowers Childcare (CU2018-0013 / DR2018-0081)**

LOCATION: 985 NW 158th Avenue
Assessor's Map # 1N132CB Tax Lot 100

ZONING: R2 (Urban Medium Density)

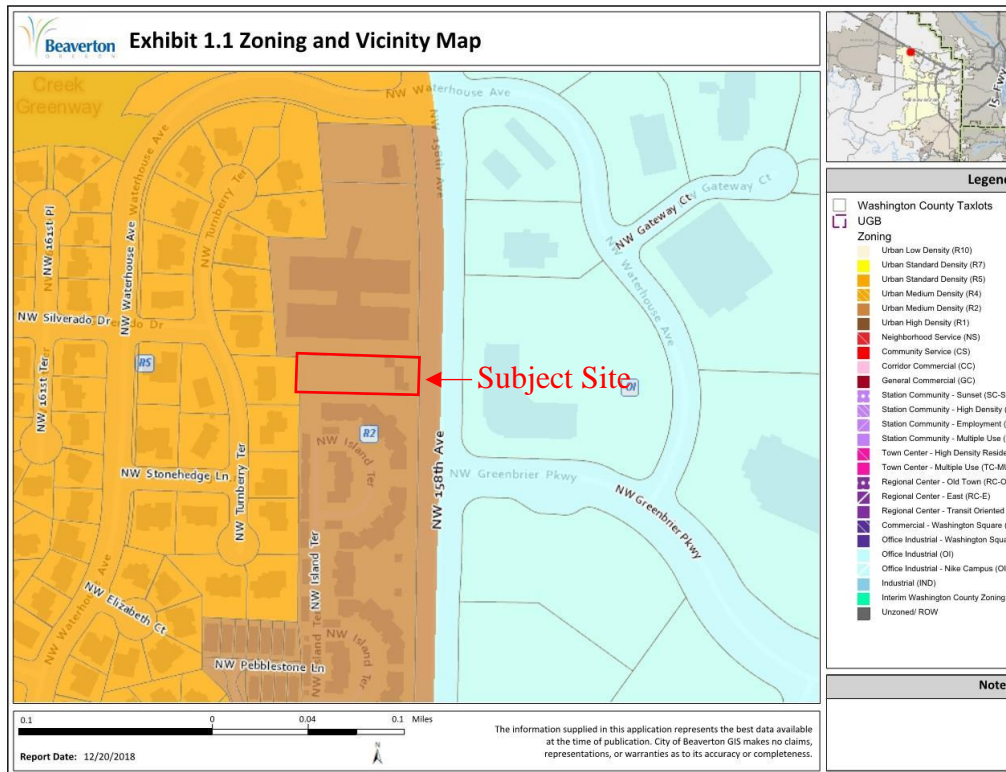
SUMMARY: The applicant requests approval of the following land use applications for Little Flowers Daycare. A New Conditional Use application for a Child Care Facility in the Urban Medium Density (R2) residential zone. A Design Review Two application for the construction of a new child care facility, outdoor play area and parking lot.

PROPERTY OWNER: Lolum and Savani Jayasuriya
640 NW Willow Glen Place
Beaverton, OR, 97006

APPLICANT'S REPRESENTATIVE: Stewart Gordon Straus Architect PC
12600 SW Crescent Street, Suite #100
Beaverton, OR 97005

RECOMMENDATION: **APPROVAL of CU2018-0013/DR2018-0081 - Little Flowers Childcare, subject to conditions identified at the end of this report.**

ZONING/VICINITY/AERIAL MAP



BACKGROUND FACTS**Key Application Dates:**

Application	Submittal Date	Deemed Complete	120-Day*	365-Day**
CU2018-0013	June 8, 2018	November 21, 2018	March 21, 2019	November 21, 2019
DR2018-0081	June 8, 2018	November 21, 2018	March 21, 2019	November 21, 2019

* Pursuant to Section 50.25.9 of the Development Code this is the latest date, without a continuance, by which a final written decision on the proposal can be made.

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Existing Conditions:

Zoning	R2 (Urban Medium Density)	
Current Development	Single Family House	
Site Size	Approximately 0.5 acre	
NAC	Five Oaks/Triple Creek	
Surrounding Uses	<u>Zoning:</u> North: R-2 South: R-2 East: OI West: R-5	<u>Uses:</u> North: Residential Care Facility South: Residential East: Office West: Residential

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**FACILITIES REVIEW COMMITTEE
TECHNICAL REVIEW AND RECOMMENDATIONS
CU2018-0013/DR2018-0081 – LITTLE FLOWERS DAYCARE**

Section 40.03 Facilities Review Committee:

The Facilities Review Committee has conducted a technical review of the application, in accordance with the criteria contained in Section 40.03 of the Development Code. The Committee's findings and recommended conditions of approval are provided to the decision-making authority. As they will appear in the Director's Decision or Planning Commission Notice of Decision, the Facilities Review Conditions may be re-numbered and placed in different order.

The decision-making authority will determine whether the application as presented meets the Facilities Review approval criteria for the subject application and may choose to adopt, not adopt, or modify the Committee's findings, below.

The Facilities Review Committee Criteria for Approval will be reviewed for all criteria that are applicable to the applications as identified below:

- The proposal is for a New Conditional Use and Design Review Two for a new childcare and preschool facility including administration, six classrooms, and required outdoor play area.

A. *All critical facilities and services related to the proposed development have, or can be improved to have, adequate capacity to serve the proposed development at the time of its completion.*

FINDING:

Critical facilities and services, as defined by Chapter 90 of the Development Code, include public water, public sanitary sewer, storm water drainage and retention, transportation, and fire protection.

Water

The property is served by TVWD water service and there is an existing meter onsite that serves the existing residential use. The water meter may need to be upsized to accommodate the new commercial use. Adequate capacity exists to serve the proposed development.

Sewer

The existing residential use is served by a septic tank, which will need to be decommissioned with the new project. The new commercial use will be required to connect to the public sewer system with a new sewer lateral connection. Adequate capacity exists to serve the proposed development.

Storm Water

The applicant has provided a Stormwater Report for the quantity and quality of stormwater resulting from the building and impervious surfaces. While the report states that the proposed stormwater facilities are adequate to service the site, Site Development has proposed conditions 9 and 16 to address specific stormwater facility requirements pursuant to CWS requirements. As conditioned the project would meet the requirements.

Transportation

A Transportation Impact Analysis memo was submitted and the total net new trips generation is 198 trips, which would not require a full transportation analysis because the total trips are less than 300 additional per day. The proposal provides a driveway connection to the public right-of-way, as well as a new pedestrian connection through the site to the sidewalk on the south side of the lot. There is a Trimet bus stop approximately 100 feet from the site to the south and provides regular service to the area. The development is not expected to adversely impact the existing transportation system.

Fire Protection

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department (TVF&R). TVF&R have not provided conditions of approval related to this proposal, however TVF&R requirements, will be verified at the time of Site Development Permit issuance.

Therefore, staff finds that by meeting the conditions of approval, the proposal meets the criterion.

- B. Essential facilities and services related to the proposed development are available, or can be made available, with adequate capacity to serve the development prior to its occupancy. In lieu of providing essential facilities and services, a specific plan may be approved if it adequately demonstrates that essential facilities, services, or both will be provided to serve the proposed development within five (5) years of occupancy.***

FINDING:

Essential facilities and services, as defined by Chapter 90 of the Development Code, include schools, transit improvements, police protection, and on-site pedestrian and bicycle facilities.

The site has existing essential facilities such as transit service, police protection and pedestrian facilities in the public right-of-way. The proposal includes a new child care facility. The proposal does not add demand to the existing school system. The site is served by TriMet's bus line 67 which run on 158th Avenue within 100 feet of the site. The proposal includes new pedestrian circulation on-site providing safe circulation from the new building to the public right-of-way and

eight new bicycle parking facilities on-site. SW 158th Avenue contains public sidewalks and bike lanes which are not proposed to be modified with this development. Staff finds essential facilities and services are available to serve the proposed development.

Therefore, staff finds that the proposal meets the criterion for approval.

- C. *The proposed development is consistent with all applicable provisions of Chapter 20 (Land Uses) unless the applicable provisions are modified by means of one or more applications which shall be already approved or which shall be considered concurrently with the subject application; provided, however, if the approval of the proposed development is contingent upon one or more additional applications, and the same is not approved, then the proposed development must comply with all applicable provisions of Chapter 20 (Land Uses).***

FINDING:

The property is zoned Residential Urban Medium Density (R-2). Childcare Facilities are a conditional use in this zone. The applicant has submitted a new conditional use application for review and approval of the use in the zoning district. The site complies with the minimum land area, minimum lot dimension, and minimum setback requirements for the R-2 zone. Staff also refers to the table summary for chapter 20 development standards hereto.

Therefore, staff finds that the proposal meets the criterion for approval.

- D. *The proposed development is consistent with all applicable provisions of Chapter 60 (Special Requirements) and all improvements, dedications, or both, as required by the applicable provisions of Chapter 60 (Special Requirements), are provided or can be provided in rough proportion to the identified impact(s) of the proposed development.***

FINDING:

Staff cites the findings in the Code Conformance Analysis Chart, at the end of the report, which evaluates the project as it relates to applicable Code requirements of Chapter 60. Staff will address Section 60.05. (Design Standards) to the separate findings prepared for Design Review Two. The applicant's response to D simply states that all applicable provisions of Chapter 60, primarily under Section 60.05, are addressed and met through the findings addressed as part of the narrative and plans.

Section 60.30 of the Development Code specifies a minimum number of required off-street parking spaces at one and a half vehicle spaces per full-time employee and one long-term bike space per classroom. The proposal includes a Childcare

Facility use with nine full-time equivalent staff members, requiring 14 vehicle parking spaces and six (6), long-term bicycle parking spaces. The project provides 14 vehicle parking spaces and six (6), long-term bicycle parking spaces and two, short-term bicycles parking spaces. If at any time the facility employs more than nine full-time equivalent staff members the parking shall be reevaluated subject to the off-street parking standards and the *Reductions and Exemptions* in Section 60.30.10. A condition of approval is proposed to reflect the required parking analysis if the number of full time staff increases.

In addition to the design and parking standards of Chapter 60, child care and day care facilities also need to meet special use regulations. The facility shall provide adequate outdoor space and continuous forward flow of traffic for facilities licensed for 40 or more children. The facility shall provide 100 square feet of outdoor area per 1/3 of the total licensed capacity of children, or 1,867 square feet for the proposed capacity of 56 children. The proposal includes 2,102 square feet of covered and uncovered outdoor play area, thereby meeting the minimum requirement. The on-site circulation includes a circular driveway which provides for the continuous forward movement of cars on the site, thereby meeting the requirement.

Staff finds the proposal to meet all applicable facility review provisions of chapter 60 by meeting the conditions of approval at the end of this report.

Therefore, staff finds that by satisfying the conditions of approval, the proposal will meet the criterion for approval.

- E. *Adequate means are provided or can be provided to ensure continued periodic maintenance and necessary normal replacement of the following private common facilities and areas, as applicable: drainage facilities, roads and other improved rights-of-way, structures, recreation facilities, landscaping, fill and excavation areas, screening and fencing, ground cover, garbage and recycling storage areas, and other facilities not subject to maintenance by the City or other public agency.***

FINDING:

The property is owned by a private property owner and the architect states that the building has been designed to allow for adequate means to provide for periodic maintenance or replacement of equipment. The proposal does not prevent the property owner from adequately maintaining the site. Staff finds that adequate means can be provided to ensure continued and periodic maintenance.

Therefore, staff finds that the proposal meets the criterion for approval.

F. *There are safe and efficient vehicular and pedestrian circulation patterns within the boundaries of the development.*

FINDING:

The applicant states that the circulation patterns are design to be simple and separated to the greatest extent possible. The proposal includes a circular driveway for simple, one-way vehicular circulation pattern through the site. The pedestrian facilities connect to the public right-of-way and are located adjacent to the south property line and provides access to the building. A striped pedestrian walkway is available to the ADA parking space across the two drive aisles in front of the building, separated by a concrete median.

Therefore, staff finds that the proposal will meet the criterion for approval.

G. *The development's on-site vehicular and pedestrian circulation systems connect to the surrounding circulation systems in a safe, efficient, and direct manner.*

FINDING:

The circular driveway and drive aisle are connected to the public right-of-way in the same location as the existing driveway. In addition the applicant has proposed improving vehicular safety in the area by restricting the ingress and egress to a right-in and right-out circulation pattern with a new median in 158th Avenue in front of the driveway location. The on-site pedestrian walkway extends from the building entrance to the public right-of-way on the south side of the property through a separate ingress/egress. Staff finds that this criterion is met and incorporates the findings from criterion F above.

Therefore, staff finds that the proposal meets the criterion for approval.

H. *Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate fire protection, including, but not limited to, fire flow.*

FINDING:

Fire protection will be provided to the site by Tualatin Valley Fire and Rescue Department (TVF&R). TVF&R conditions of approval are included in this report. Additionally TVF&R requirements will be verified at the time of Site Development Permit issuance.

Therefore, staff finds that by satisfying the conditions of approval, the proposal will meet the criterion for approval.

- I. Structures and public facilities serving the development site are designed in accordance with adopted City codes and standards and provide adequate protection from crime and accident, as well as protection from hazardous conditions due to inadequate, substandard or ill-designed development.***

FINDING:

The applicant states the new building and site are designed to comply with best practices for crime prevention and codes for accessibility and safety, including appropriate lighting, separation of pedestrians and vehicles and security fencing at the building and play yard entry. Plans submitted to the city do not demonstrate compliance with the City's Technical Lighting standards (60.05) as there are numerous locations along the property line where the lights exceed the maximum permitted illumination at the property line of 0.5 foot candles. Staff proposes a condition of approval requiring the lighting plan adhere to Table 60.05-1, *Technical Lighting Standards* prior to site development permit issuance.

Therefore, staff finds that by satisfying the conditions of approval, the proposal will meet the criterion for approval.

- J. Grading and contouring of the development site is designed to accommodate the proposed use and to mitigate adverse effect(s) on neighboring properties, public right-of-way, surface drainage, water storage facilities, and the public storm drainage system.***

FINDING:

The applicant states that the civil engineering documents submitted demonstrate minimum alteration of the existing grades while effectivity directing stormwater to appropriate treatment, detention and disposal systems at the northwest corner of the site. Staff has reviewed the preliminary proposed grading plan and finds no adverse effect on neighboring properties, public right-of-way or the public storm system.

Therefore, staff finds that by satisfying the conditions of approval, the proposal will meet the criterion for approval.

- K. Access and facilities for physically handicapped people are incorporated into the development site and building design, with particular attention to providing continuous, uninterrupted access routes.***

FINDING:

The applicant will be required to meet all applicable accessibility standards of the International Building Code, Fire Code and other standards as required by the American Disabilities Act (ADA). Compliance with ADA requirements are

reviewed with the Building Permit application. The applicant states that access to and into all publicly accessible parts of the buildings will be ADA accessible. Staff finds that review of the proposed plans at Site Development and Building Permit stages are sufficient to guarantee compliance with accessibility standards.

Therefore, staff finds that the proposal meets the criterion.

L. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.

FINDING:

The applicant submitted the land use applications on June 8, 2018 and was deemed complete on November 21, 2018. In review of the materials during the application review process, the Committee finds that all applicable application submittal requirements, as identified in Section 50.25.1 are contained within this proposal.

Therefore, staff finds that the proposal meets the criterion.

Code Conformance Analysis

Chapter 20 Use and Site Development Requirements Residential Urban Medium Density (R-2) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 20.05.20			
Child Care Facilities	Childcare Facility is a conditional use.	The applicant is submitted for a New Conditional Use for a new child care facility.	Yes
Development Code Section 20.05.15			
Minimum Lot Area	2,000	Lot size is not being modified with this proposal and is approximately one-half acre.	Yes
Yard Setbacks Minimums: Front Side Rear	10-feet 5-feet 15-feet	Proposed structures meet minimum setbacks. 10-feet 5-feet 15-feet	Yes
Maximum Building Height	40 feet	Proposed structure is approximately 21 feet in height.	Yes

Chapter 60 Special Requirements
Residential Urban Standard Density (R-2) Zoning District

CODE STANDARD	CODE REQUIREMENT	PROJECT PROPOSAL	MEETS CODE?
Development Code Section 60.05			
Design Review Principles, Standards, and Guidelines	Requirements for new development.	The proposal is to construct a new child care facility.	See DR Findings
Development Code Section 60.30 – Off-Street Parking			
Off-street motor vehicle parking	<u>Nursery schools, Day or Child Care Facilities</u> 1 space per number of full-time employees (FTE)	The applicant proposal will result in nine full-time equivalent staff members. The site contains 14 parking spaces.	Yes
Off-street bicycle parking	<u>Nursery schools, Day or Child Care Facilities</u> Short-term: None Long-term: 1 space per classroom	The applicant's proposal will result in six, long-term bicycle parking spaces and two, short-term bicycle parking spaces.	Yes
Development Code Section 60.50 – Special Use Regulations Child Care or Daycare Facilities			
Outdoor play area	Minimum area of 100 square feet per 1/3 total licensed capacity of children. (list amount required)	The applicant's proposal results in 2,102 square feet of outdoor play area.	Yes
Fenced play area	A fence of at least five (5) feet, but not more than six (6) feet in height shall be provided separating the outdoor play area from abutting lots.	A fence is provided around the play area; however, the height has not been labeled. A condition addressing fence height is proposed.	Yes, pursuant to the COA
Driveway	For facilities licensed for 40 or more children may be required to have a driveway designed for continuous forward flow of passenger vehicles.	The proposal includes a circular driveway and drive aisle that allows for continuous forward flow for passenger vehicles.	Yes
Development Code Section 60.55 – Transportation			
Transportation Facilities	Regulations pertaining to the construction or reconstruction of transportation facilities.	Refer to Facilities Review Committee findings herein.	Yes

**ANALYSIS AND FINDINGS FOR APPROVAL
LITTLE FLOWERS CHILDCARE
CU2018-0013**

Section 40.15.15.3.C New Conditional Use Approval Criteria:

In order to approve a New Conditional Use application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. *The proposal satisfies the threshold requirements for a Conditional Use application.*

FINDING:

The applicant proposes a new childcare facility in a residential zoning district. Pursuant to the threshold identified CDC Section 40.15.15.3.A.1, a New Conditional Use is required since the childcare use is a conditionally permitted in the R2 zoning district.

Therefore, staff finds the proposal meets the criterion for approval.

2. *All City application fees related to the application under consideration by the decision making authority have been submitted.*

FINDING:

The applicant paid the required fee associated with a New Conditional Use.

Therefore, staff finds the proposal meets the criterion for approval.

3. *The proposal will comply with all applicable policies of the Comprehensive Plan.*

FINDING:

Childcare facilities are not specifically mentioned in the Comprehensive Plan. The childcare use is a conditional use in the R2 zoning district and design elements and special use requirements have been incorporated into the proposal which also complies with goals contained in the Comprehensive Plan. Comprehensive Plan policy 3.8.3.g allows limited, small-scale retail and service uses that primarily serve the immediate neighborhood and are compatible with the adjacent residential uses. The childcare facility will provide more childcare options to those living in the immediate residential neighborhoods. The use is compatible with residential uses, because the use in operation during the day which limits the noise from the site during early morning and evening hours. The applicant specifically states that the project complies with policy 'd' of Goal 6.2.3 of the Transportation Element which encourages safe transportation and circulation system by separating pedestrian and vehicular circulation and restricting access/egress to right-in/right-out.

Therefore, staff finds that the proposal meets the criterion for approval.

4. *The size, dimensions, configuration, and topography of the site and natural and man-made features on the site can reasonable accommodate the proposal.*

FINDING:

The existing site is relatively flat which requires limited disturbance of the topography. The site is narrow and requires the building to be located toward the rear of the property with the parking, vehicular circulation and required play area to be placed in front of the building. Although the building is located toward to the rear property line in common with residential uses, the active areas are proposed at the front of the building and away from the backyards of the residential uses which is more compatible with landscaping, lighting and noise standards of the residential uses.

Therefore, staff finds the proposal meets the criterion for approval.

5. *The location, size, and functional characteristics of the proposal are such that it can be made reasonably compatible with and have a minimal impact on livability and appropriate use and development of properties in the surrounding area of the subject site.*

FINDING:

The site is located in a residential zone on NW 158th Avenue, which is classified as an arterial street. Arterial streets are high capacity roads with higher vehicular speeds and tend to have more commercial and high-density residential uses. The subject site is adjacent to a memory care facility to the north, a multi-family residential project to the south and commercial offices to the east. There are single-family residential uses to the rear of the site to the west. The proposed site layout places the more commercial activities toward the front of the site including: trash facilities, parking lot, and play area, which are more compatible with the surrounding uses and parking configurations along NW 158th Avenue. Placing the active areas along a more commercial corridor limits the uses at the rear of the site to landscaping and a storm water drainage swale, which are more passive nature and compatible with the single-family residential uses. The proposal includes a one-story structure that is compatible with the one- and two-story structures adjacent to the site.

Therefore, staff finds the proposal meets the criterion for approval.

6. *Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.*

FINDING:

The applicant has submitted this New Conditional Use application and the associated Design Review Two application for this project. Concurrent review of the applications

satisfies this criterion. No other applications are required of the applicant for this stage of City approvals. Because the applications were submitted concurrently staff will review both applications at once.

Therefore, staff finds the proposal meets the criterion for approval.

Recommendation

Based on the facts and findings presented, staff recommends **APPROVAL** of **CU2018-0013 (Little Flowers Childcare)**, subject to the conditions below in Attachment D.

**ANALYSIS AND FINDINGS FOR
DESIGN REVIEW TYPE TWO APPROVAL
LITTLE FLOWERS CHILDCARE
DR2018-0081**

Section 40.20.05. Design Review Applications; Purpose

The purpose of Design Review is to promote Beaverton's commitment to the community's appearance, quality pedestrian environment, and aesthetic quality. It is intended that monotonous, drab, unsightly, dreary and inharmonious development will be discouraged. Design Review is also intended to conserve the City's natural amenities and visual character by insuring that proposals are properly related to their sites and to their surroundings by encouraging compatible and complementary development.

Section 40.20.15.2.C Approval Criteria

In order to approve a Design Review Two application, the decision making authority shall make findings of fact based on evidence provided by the applicant demonstrating that all the following criteria are satisfied:

1. The proposal satisfies the threshold requirements for a Design Review Two application.

FINDING:

The applicant proposes a new childcare building, for a total square footage of approximately 3,191 square feet. Threshold 2 for a Design Review Two application is:

2. New construction of up to and including 30,000 gross square feet of non-residential floor area where the development abuts or is located within any Residential District.

This request meets threshold 2 for a Type Two Design Review identified in BDC Section 40.20.15.2.A.

Therefore, staff finds that the proposal meets the criterion for approval.

2. All City application fees related to the application under consideration by the decision making authority have been submitted.

FINDING:

The applicant paid the required associated fee for a Design Review Two application.

Therefore, staff finds that the proposal meets the criterion for approval.

- 3. The proposal contains all applicable application submittal requirements as specified in Section 50.25.1 of the Development Code.**

FINDING:

The applicant submitted the application on June 8, 2018 and was deemed complete on November 21, 2018. In the review of the materials during the application review, staff finds that all applicable application submittal requirements, identified in Section 50.25.1 are contained within this proposal.

Therefore, staff finds that the proposal meets the criterion for approval.

- 4. The proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards).**

FINDING:

Staff cites the findings in the Design Review Standard Analysis chart in this report which evaluate the project in response to applicable Code standards of Sections 60.05.15 through 60.05.30 (Design Standards). In part, the chart provides a summary response to design review standards determined to be applicable in the subject case. The applicant's plans and materials show compliance with these standards. Certain conditions of approval are proposed to ensure the plan is constructed consistent with these standards.

Therefore, staff finds that by meeting the conditions of approval, the proposal meets the criterion for approval.

- 5. For additions to or modifications of existing development, the proposal is consistent with all applicable provisions of Sections 60.05.15 through 60.05.30 (Design Standards) or can demonstrate that the additions or modifications are moving towards compliance of specific Design Standards if any of the following conditions exist:**

FINDING:

The proposal does not include any additions or modifications to existing buildings, as this is new construction.

Therefore, staff finds that the proposal meets the criterion for approval.

- 6. Applications and documents related to the request, which will require further City approval, shall be submitted to the City in the proper sequence.**

FINDING:

The applicant has submitted this Design Review Type Two application and the associated New Conditional Use application for this project. Concurrent review of the applications satisfies this criterion. No other applications are required of the applicant for this stage of City approvals. Because the applications were submitted concurrently staff will review all two applications at once

Therefore, staff finds the proposal meets the criterion for approval.

Recommendation

Based on the facts and findings presented, staff recommend **APPROVAL** of **DR2018-0081 (Little Flowers Childcare)**, subject to the conditions below in Attachment D.

Design Review Standards Analysis
Section 60.05.15 Building Design and Orientation

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Building Articulation and Variety		
60.05.15.1.B Buildings visible from and within 200 feet of an adjacent public street shall have a minimum portion...30% articulation and variety	The main building is set back approximately 85 feet from the front property line. The east elevation is visible from the street and includes the main entrance, play area, an articulated façade with a narrow building width, varying materials, and windows.	Yes
60.05.15.1.C Max 40' between architectural features	The east elevation is less than 40 feet wide at the front of the building with a wider portion of the building setback an additional 60 feet from the front wall. The wider portion of the building includes three door openings and four windows which are spaced less than 40 feet apart. The articulation on the sides and rear of the building have windows with varying materials surrounding the windows.	Yes
Roof Forms		
60.05.15.2.A Sloped roofs exposed to view shall have a minimum 4:12 pitch	The applicant states that all sloped roofs are proposed with a 4:12 pitch or greater.	YES
60.05.15.2.C Roofs with a slope of less than 4/12 pitch shall be articulated with a parapet wall or architecturally treated, such as with a decorative cornice.	The applicant states that the building roof pitch is greater than 4:12. The canopy over the play area is a low sloped roof bounded by a decorative fascia.	YES
Primary Building Entrances		
60.05.15.3 Weather protection for primary entrance	The applicant states that the primary entrance covering is 11 feet, 6 inches wide and 13 feet, 6 inches deep.	Yes

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Exterior Building Materials		
60.05.15.4.B Maximum 30% of primary elevation to be plain, smooth, unfinished concrete, concrete block, plywood and sheet pressboard	The only exposed concrete on the exterior is the required 6-inch separation of structures from grade and does not exceed 30% of the wall plane.	YES
60.05.15.4.C Non-residential foundations	There is no exposed concrete with a vertical distance greater than 6-inches.	YES
Roof-Mounted Equipment		
60.05.15.5.A - C Equipment screening	No roof mounted equipment is proposed with this application.	N/A
Building Location and Orientation along Streets in MU and Com. Districts		
60.05.15.6.A-F	The subject site is not located in a Multiple Use or Commercial zoning district.	N/A
Building Scale along Major Pedestrian Routes		
60.05.15.7.A - C	The childcare facility is not located along a major pedestrian route.	N/A
Ground Floor Elevation on Commercial and Multiple Use Buildings		
60.05.15.8.A Glazing required	The proposal is not a commercial or multiple use building.	N/A

Section 60.05.20 Circulation and Parking Design

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Connections to the public street system		
60.05.20.1 Connect on-site circulation to existing and planned street system	The on-site circulation will connect to NW 158 th Avenue through a new driveway and pedestrian path.	YES
Loading Areas, solid waste facilities and similar improvements		
60.05.20.2.A-E Screen from public view	Trash storage is located at the front of the site and will be screened from public view by a solid wood fence.	YES
Pedestrian Circulation		
60.05.20.3.A -B Link to adjacent facilities	The main entrance and parking area are connected to the public right-of-way with a separated curbed walkway through the site.	YES
60.05.20.3.C Walkways every 300'	The site is 80 feet in width and includes a separate, curbed pedestrian walkway connection.	YES
60.05.20.3.D Physical separation	The pedestrian connection through the parking lot is separated by a curbed walkway.	YES
60.05.20.3.E - F Distinct paving and pedestrian walkways	There is a striped walkway across the two drive aisles at the front of the building. All pedestrian walkways are at least 5 feet wide with unobstructed clearance and paved with scored concrete. The ADA ramps also have tactile warning plates to access the walkway across the drive aisle.	YES
Street Frontages and Parking Areas		
60.05.20.4.A Screen from public view	There are no parking areas adjacent to the public right-of-way.	N/A

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Parking and Landscaping		
60.05.20.5.A Parking area landscaped planters	There are a total of fourteen parking spaces in the parking area, a maximum of seven contiguous parking spaces in each row with a planter island at each end.	YES
60.05.20.5.B Parking lot islands	The landscaping islands exceed 6 feet in width and include at least one tree with a mature height of 20 feet.	YES
60.05.20.5.D City-Approved Trees	The tree proposed for the planter is a Pacific Dogwood, which is a species listed as a Beaverton street tree.	YES
Off-Street Parking Frontages in Multiple-Use Districts		
60.05.20.6 Off-street parking frontages	The site is not in a Multiple-Use district.	N/A
Sidewalks Along Streets and Primary Building Elevations in Multiple-Use and Commercial Districts		
60.05.20.7.A-C Required sidewalk widths	The site is not located in a Commercial or Multiple-Use district.	N/A
Connect on-site buildings, parking, and other improvements with identifiable streets and drive aisles in Residential, Multiple-Use, and Commercial Districts		
60.05.20.8.A - B Drive aisles to be designed as public streets, if applicable	The new parking lot drive aisles do not link public or private streets; therefore, this section does not apply.	N/A
Ground Floor uses in parking structures		
60.05.20.9 Parking Structures	No parking structures are proposed.	N/A

Section 60.05.25 Landscape, Open Space, and Natural Areas Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Minimum Landscaping		
60.05.25.5.A.1 Minimum landscape 15%	The childcare use is a conditional use in a residential zone. The applicant's plans show 21% of the subject site landscaped.	YES
60.05.25.5.B Planting Requirements	The applicant states that there are 25 trees proposed, where 4 are required; 165 shrubs proposed, where 8 are required; and ground cover or non-evergreen shrubs are provided in the area not covered by trees or shrubs.	YES
60.05.25.5.C Pedestrian Plaza	No pedestrian plaza is proposed with this application	N/A
60.05.25.5.D Foundation Landscaping	The building has windows; therefore, the plantings are not required.	N/A
Retaining Walls		
60.05.25.8 Retaining Walls	No retaining walls are proposed with this application.	N/A
Fences and Walls		
60.05.25.9 Fences and Walls	The existing fences along the north and south property lines are sight obscuring wood fences that will be maintained. A new matching fence is proposed along the west property line.	YES
Minimize Significant Changes To Existing On-Site Surface Contours At Residential Property Lines		
60.05.25.10 Minimize grade changes	Minor grading is proposed as shown on the civil drawing to create a building pad and assure proposed storm water drainage.	YES

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Integrate water quality, quantity, or both facilities		
60.05.25.11 Location of storm water facilities	Stormwater facilities are proposed at the rear of the site.	YES
Natural Areas		
60.05.25.12 No encroachment into buffer areas	There are no identified natural areas on-site.	N/A
Landscape Buffering Requirements		
60.05.25.13 Landscape buffering between contrasting zoning districts or non-residential use in the residential zone.	The applicant states that a five-foot buffer is provided on the south side and fifteen foot buffer on the west side of the building are provided. A heavier screen of evergreen trees and shrubbery is provided at the south property line adjacent to the play area. The proposal includes two trees along the rear property line; however they are not separated by 30 feet. A condition of approval requires that the trees be separated by a minimum of 30 feet or an additional tree be planted to meet the B2 buffer requirements.	Yes w/ COA

Section 60.05.30 Lighting Design Standards

DESIGN STANDARD	PROJECT PROPOSAL	MEETS STANDARD
Adequate on-site lighting and minimize glare on adjoining properties		
60.05.30.1.A-E Lighting Design Standards	The proposal includes bollards, wall and soffit fixtures that direct light downward, minimizing glare on adjoining properties.	YES
Pedestrian-scale on-site lighting		
60.05.30.2.A-C Pedestrian Lighting	The lighting proposal meets the technical lighting requirements for adequate lighting on-site for pedestrians for safety.	YES

**CONDITIONS OF APPROVAL
CU2018-0013/DR2018-0081**

CU2018-0013

1. The proposed use is limited to 9 Full Time Equivalent (FTE) staff unless parking is shown to comply with the minimums of the Development Code or altered through a process provided under the Development Code. (Planning/SD)

DR2018-0081

A. Prior to issuance of the site development permit, the applicant shall:

1. Submit a narrative that responds to all applicable conditions of approval and discusses how each condition has or will be satisfied prior to issuance of the Site Development Permit. (Site Development Div./JJD)
2. Submit the required plans, application form, fee, and other items needed for a complete site development permit application per the applicable review checklist. (Site Development Div./JJD)
3. Contract with a professional engineer to design and monitor the construction for any work governed by Beaverton Municipal Code 9.05.020, as set forth in City Engineering Design Manual and Standard Drawings, Beaverton Development Code (Ordinance 2050, 4010 +rev.), the Clean Water Services District Design and Construction Standards (April 2017, Resolution and Ordinance 2017-05), and the City Standard Agreement to Construct and Retain Design Professionals in Oregon. (Site Development Div./JJD)
4. Submit a completed and executed City Standard Agreement to Construct Improvements and Retain Design Professional(s) Registered in Oregon. After the site development permit is issued, the City Engineer and the Planning Director must approve all revisions as set out in Ordinances 2050, 4010+rev., and Engineering Design Manual and Standard Drawings; however, any required land use action shall be final prior to City staff approval of the engineering plan revision and work commencing as revised. (Site Development Div./JJD)
5. Have the ownership of the subject property guarantee all public improvements, site grading, and storm water management (quality and quantity) facilities construction by submittal of a City-approved security. The security approval by the City consists of a review by the City Attorney for form and the City Engineer

for amount, equivalent to 100 percent or more of estimated construction costs.
(Site Development Div./JJD)

6. Submit any required off-site easements, executed and ready for recording, to the City after approval by the City Engineer for legal description of the area encumbered and City Attorney as to form. (Site Development Div./JJD)
7. Obtain a Facility/ROW permit at Washington County for the street light and other frontage improvements in the County ROW. Plant street trees with root barrier per City of Beaverton and City Arborist's approval, approved street tree list and standard detail, respectively. (Site Development Div./TDM)
8. If a proprietary system is used for water quality treatment, provide evidence of a post-construction cleaning, system maintenance, and StormFilter recharge/replacement per manufacture's recommendations for project's proprietary stormwater treatment systems by a Contech qualified maintenance provider as determined by the City Engineer. Additionally, another servicing report from the maintenance provider will be required prior to release of the required maintenance (warranty) security. (Site Development Div./JJD)
9. Submit plans that show access for a maintenance vehicle within 6-feet from the front, or within 15-feet from the side of a vehicle to all control structures unless otherwise specifically approved by the City Engineer. A direct worker access route to the structures in the water quality facility area shall be provided no steeper than 4 (horizontal) to 1 (vertical) slope. This direct route shall be a minimum of 5-foot wide and have a surface consisting of the equivalent of 3 inches of ¾"-0" gravel (to allow walking access route shall be delineated on the plans. Reference 2019 Engineering Design Manual and Standard Drawings 340.2 – 340.4. (Site Development Div./JJD)
10. Submit plans that include details of the proposed bicycle parking spaces. Racks are to be at least 30 inches wide by 36 inches tall, centered within an area that is 6 feet by 4 feet, and at least 2 feet from any building. (Transportation/JK)
11. Have obtained the Tualatin Valley Fire and Rescue District Fire Marshal's approval of the site development plans as part of the City's plan review process. (Site Development Div./JJD)
12. Submit a detailed water demand analysis (fire flow calculations) in accordance with the requirements of the Fire Code as adopted by the Tualatin Valley Fire and Rescue. If determined to be needed by the City Building Official, this analysis shall be supplemented by an actual flow test and evaluation by a professional engineer (meeting the standards set by the City Engineer as specified in the Engineering Design Manual Chapter 6, 610.L). The analysis

shall provide the available water volume (GPM) at 20 psi residual pressure from the fire hydrant nearest to the proposed project. (Site Development Div./JJD)

13. Have obtained approvals needed from the Clean Water Services District for storm system connections as a part of the City's plan review process. (Site Development Div./JJD)
14. Provide an erosion control plan showing best management practices needed per Clean Water Services Standard Drawing #945. Make provisions for installation of all mandated erosion control measures prior to site disturbance of 500 square feet or more. (Site Development Div./JJD)
15. Provide a detailed drainage analysis of the subject site and prepare a report prepared by a professional engineer meeting the standards set by the City Engineer. The analysis shall identify all contributing drainage areas and plumbing systems on and adjacent to the site with the site development permit application. The analysis shall also delineate all areas on the site that are inundated during a 100-year storm event in addition to any mapped FEMA flood plains and flood ways. (Site Development Div./JJD)
16. All site sewer (storm and sanitary) plumbing that serves more than one lot, or crosses onto another lot, shall be considered a public system and shall be constructed to the requirements of the City Engineer. Sheet flow of surface water from one lot to another lot area shall not be considered a direct plumbing service. Roof outfall flow onto pavement surface and into the existing or proposed inlet shall not be considered a direct plumbing service. (Site Development Div./TDM)
17. Submit a revised grading plan showing that each lot has a minimum building pad elevation that is at least one foot higher than the maximum possible high water elevation (emergency overflow) of the storm water management facilities and show a safe overflow route. A minimum finish floor elevation shall be established for the proposed building based on service provision needs and whichever of the following three is highest in elevation: 1) at least two feet higher than the rim elevation of the downstream public sanitary sewer manhole; 2) two feet higher than the rim/overflow of the storm facility; and 3) as necessary to provide adequate fall per engineering and plumbing code standards to the furthest service point. (Site Development Div./JJD)
18. Submit to the City a certified impervious surface determination of the proposed project's new impervious area proposed for any common areas, common private driveway, and building prepared by the applicant's engineer, architect, or surveyor. (Site Development Div./JJD)

19. Pay storm water system development charges (overall system conveyance) for the new impervious area proposed for the common driveway. (Site Development Div./JJD) (Site Development Div./JJD)
20. Obtain the City Building Official's review approval of the proposed private fire service mains (fire line), vault, backflow prevention and Fire Department Connection (FDC). (Site Development Div./JJD)
21. Submit an owner-executed, notarized, City/CWS standard private stormwater facilities maintenance agreement, with maintenance plan and all standard exhibits, ready for recording with Washington County Records. (Site Development Div./JJD)
22. The driveway from NW 158th Avenue is considered a fire land all the way to the "Administrative" parking space. It will need to be constructed to support a 75,000 GVWR and a 12,500 wheel load. (TVF&R/JF)
23. Provide fire flow calculations prior to Site Development review. (TVF&R/JF)
24. The applicant is proposing to use an existing residential access on NW 158th Avenue. The applicant will be required to construct the access to meet County standards, which will include the construction of a median and pork chop to restrict the access to a right-in/right-out only access. (Washington County/NV)
25. Resolution and Order 86-95 requires a minimum sight distance (measured in feet) equal to ten times the vehicular speed of the road(s) at proposed access location(s). This requirement applies to sight distance in both directions at each access.

Before the County will permit access to NW 158th Avenue, the applicant will be required to provide certification from a registered professional engineer that adequate sight distance exists in both directions (or can be obtained pursuant to specific improvements). (Washington County/NV)
26. Provide a plan showing dedication of additional right-of-way to provide 51 feet from the centerline of NW 158th Avenue. (Washington County/NV)
27. The following shall be recorded with Washington County (*Contact Scott Young, Survey Division: 846-7933*): (Washington County/NV)
 - a. Dedication of additional right-of-way to provide 51 feet from centerline of NW 158th Avenue.
 - b. Provision of a non-access reservation along NW 158th Avenue frontage, except at the access approved in conjunction with this land use application.

28. Submit to Washington County Public Assurance Staff, 503-846-3843:
(Washington County/NV)

- a. Completed "Design Option" form, Geotech/Pavement Report (if required), Engineer's Checklist (Appendix "E" of the County Road Standards).
- b. \$5,000.00 Administration Deposit.
- c. A copy of the City's Land Use Approval with Conditions (including a copy of this letter), signed and dated.
- d. Provide evidence that the document(s) under condition No. 27 have been recorded.
- e. Preliminary certification of adequate sight distance for the access point to NW 158th Avenue, in accordance with County Code, prepared and stamped by a registered professional engineer, as well as:

A detailed list of improvements necessary to produce adequate intersection sight distance (refer to the following webpage for sight distance certification submittal requirements).

<http://www.co.washington.or.us/LUT/Divisions/CurrentPlanning/development-application-forms.cfm>

- f. Three (3) sets of complete engineering plans for construction of the following public improvements and all work within the right-of-way of NW 158th Avenue:
 - i. Access to NW 158th Avenue as a right-in/right-out only access with a pork chop and median to County standards.
 - ii. Improvements within the right-of-way as necessary to provide adequate intersection sight distance at NW 158th Avenue access point to County standards.

29. Obtain a Washington County Facility Permit upon completion of the following:
Obtain Engineering Division approval and provide a financial assurance for the construction of the public improvements listed in conditions 28.f. (Washington County/NV)

30. The required landscape buffer adjacent to the rear property line shall consist of live ground cover consisting of low-height plants, or shrubs, or grass, and 1) one (1) tree having a minimum planting height of six (6) feet for every thirty (30) lineal feet of buffer width; 2) evergreen shrubs which reach a minimum height of four (4) to six (6) feet within two (2) years of planting planted proportionately between the required evergreen trees. (Planning/SD)

B. Prior to building permit issuance, the applicant shall:

31. Submit a complete site development permit application and obtain the issuance of site development permit from the Site Development Division. (Site Development Div./JJD)
32. Submit plans that reflect the minimum finish floor elevations determined and shown on the approved site development plans based on service provision needs and whichever of the following three is highest in elevation: 1) at least two feet higher than the rim elevation of the downstream public sanitary sewer manhole; 2) two feet higher than the rim/overflow of the storm facility and 3) as necessary to provide adequate fall per engineering and plumbing code standards to the furthest service point. (Site Development Div./JJD)
33. Make provisions for installation of all mandated erosion control measures to achieve City inspector approval at least 24 hours prior to call for foundation footing form inspection from the Building Division. (Site Development Div./JJD)
34. Contact Building Department at (503) 526-2409 or (503)350-4079 to obtain a Plumbing Permit from the Building Department for the proposed onsite utilities. Submit the Plumbing Permit application concurrently with the Site Development Permit application. (Site Development Div./TDM)

C. Prior to occupancy permit issuance, the applicant shall:

35. Have substantially completed the site development improvements as determined by the City Engineer. (Site Development Div./JJD)
36. Install or replace, to City specifications, all sidewalks, curb ramps and driveway aprons which are damaged during the construction of the site. (Site Development Div./JJD)
37. Have the landscaping completely installed or provide for erosion control measures around any disturbed or exposed areas per Clean Water Services standards. (Site Development Div./JJD)
38. Submit a final inspection report from the manufacturer if a proprietary system is being used. (Site Development Div./JJD)
39. Obtain a Finaled Washington County Facility Permit, contingent upon the following: (Washington County/NV)

- a. The road improvements required in condition 28.f above shall be completed and accepted by Washington County.
 - b. Upon completion of necessary improvements, submit final certification of adequate sight distance in accordance with County Code, prepared and stamped by a registered professional engineer.
40. Ensure all site improvements, including landscaping are completed in accordance with plans marked "Exhibit A", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/SD)
41. Ensure installation of all exterior lighting is completed in accordance with the plans and fixture details marked "Exhibit C", except as modified by the decision making authority in conditions of approval (On file at City Hall). Public view of exterior light sources such as lamps and bulbs, is not permitted from streets and abutting properties at the property line. Illumination of internal light fixtures shall meet the minimum 1.0 foot-candle standard within the site boundaries and shall not exceed 0.5 foot-candle outside at the property line. (Planning/SD)
42. Ensure ground cover plantings are installed at a maximum of 30 inches on center and 30 inches between rows. Rows of plants are to be staggered for a more effective covering. Ground cover shall be supplied in a minimum 4 inch size container, or a 2-1/4 inch container if planted 18 inches on-center. Bare gravel, rock, bark or other similar materials may be used, but are not a substitute for ground cover plantings, and shall be limited to no more than twenty-five (25) percent of the required landscape area. (Planning/SD)
43. Ensure all construction is completed in accordance with the Materials and Finishes form and Materials Board, both marked "Exhibit B", except as modified by the decision making authority in conditions of approval. (On file at City Hall). (Planning/SD)
44. Ensure deciduous or evergreen shrubs are installed at a minimum, using one-gallon containers or 8 inch burlap balls with a minimum spread of 12 inches to 15 inches. (Planning/SD)
45. Ensure all new landscape areas are served by an underground landscape irrigation system. For approved xeriscape (drought-tolerant) landscape designs and for the installation of native or riparian plantings, underground irrigation is not required provided that temporary above-ground irrigation is provided for the establishment period. (Planning/SD)

46. Ensure that all walkways and pathway connections into the parking lot are constructed with scored concrete or modular paving patterns, including ramps as necessary. ADA standards shall apply. (Planning/SD)

D. Prior to release of performance security, the applicant shall:

47. Have completed the site development improvements as determined by the City Engineer and met all outstanding conditions of approval as determined by the City Engineer and Planning Director. Additionally, the applicant and professional(s) of record shall have met all obligations under the City Standard Agreement to Construct Improvements and Retain Design Professional Registered in Oregon, as determined by the City Engineer. (Site Development Div./JJD)
48. Submit, if needed, any required on-site easements not already dedicated on the plat, executed and ready for recording, to the City after approval by the City Engineer for area encumbered and City Attorney as to form. The applicant's engineer or surveyor shall verify all pre-existing and proposed easements are of sufficient width to meet City standards. (Site Development Div./JJD)
49. Provide an additional performance security for 100 percent of the cost of plants, planting materials, and any maintenance labor (including irrigation) necessary to achieve establishment of the treatment vegetation within the reconstructed surface water quality facility, as determined by the Public Works Director. If the plants are not well established (as determined by the Public Works Director) within a period of two years from the date of substantial completion, a plan shall be submitted by the engineer of record and landscape architect (or wetland biologist) that documents any needed remediation. The remediation plan shall be completely implemented and deemed satisfactory by the City Operations Director prior to release of the security. (Site Development Div./JJD)
50. Provide, if used, evidence of a post-construction cleaning, system maintenance, and filter recharge/replacement per manufacturer's recommendations for the site's proprietary storm water treatment systems by a qualified maintenance provider as determined by the City Engineer. Additionally, another servicing report from the maintenance provider will be required prior to release of the required maintenance (warranty) security. (Site Development Div./JJD)